

ORIGINAL

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5 Attorneys for Claimants
6 Midway Sunset Cogeneration Company and
Aera Energy LLC

F I L E D
Clerk of the Superior Court

OCT 20 2006
By: K SANDOVAL, Deputy

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF SAN DIEGO
10 (UNLIMITED JURISDICTION)

BY FAX

12 Coordination Proceeding Special Title (Rule
13 1550(b)):

14 NATURAL GAS ANTI-TRUST CASES
I, II, III & IV,

J.C.C.P. Nos. 4221, 4224, 4226 & 4228

The Honorable Ronald S. Prager
Coordination Trial Judge

**JOINT STIPULATION AND
[PROPOSED] ORDER
REGARDING FURTHER
EXTENSION OF TIME FOR
DISCUSSIONS REGARDING
DISTRIBUTION OF
SETTLEMENT FUNDS**

15 This Document Relates to:

16 *Sweetie's, et al. v. El Paso Corporation, et al.*, Case
17 No. 319840 (San Francisco Superior Court);
18 *Continental Forge Company v. Southern California*
Gas Co., et al. (Los Angeles Superior Court) Case
19 No. BC241951;
20 *City of Long Beach v. Southern California Gas Co.,*
et al. (Los Angeles Superior Court) Case No.
21 BC247114;
22 *City of Los Angeles v. Southern California Gas Co.,*
et al. (Los Angeles Superior Court) Case No.
23 BC247215;
24 *Phillip v. El Paso Merchant Energy LP* (San Diego
Superior Court) Case No. GIC 759425;
Phillip v. El Paso Merchant Energy LP (San Diego
Superior Court) Case No. GIC 759426,

25
26 WHEREAS, the Settlement Claims Administrator and certain claimants from the Non-
27 Core Natural Gas Subclass identified below in connection with their undersigned counsel

1 (collectively, the "Parties") are in a dispute regarding the Claims Administrator's recommended
2 distribution of settlement funds;

3 WHEREAS, on October 11, 2006, the Parties participated in a mediation regarding the
4 dispute;

5 WHEREAS, the Parties have made progress through the mediation but require additional
6 time in which to pursue settlement efforts;

7 WHEREAS, the Parties previously stipulated, and the Court ordered, that the Parties
8 would have until October 20, 2006, to meet and confer regarding a compromise as to the
9 distribution of the settlement funds, and if an agreement is not reached, to set a briefing schedule
10 and contact the Court to confirm the briefing dates;

11 NOW, THEREFORE, the Parties respectfully request that, in order to allow additional
12 time following the mediation to pursue settlement discussions, the Court agree to extend the date
13 by which the Parties are to submit a proposed briefing schedule if an agreement is not reached,
14 from October 20, 2006, to March 15, 2007.

15 Dated: October 20, 2006

MORGAN, LEWIS & BOCKIUS LLP

17 By

David L. Schrader / NS
David L. Schrader
Attorneys for Claimants
Midway Sunset Cogeneration Company
and Aera Energy LLC

1 Dated: October ____, 2006

BAKER KEENER & NAHRA LLP

3 By

Robert C. Baker
Attorneys for Claimants Sargent Canyon
Cogeneration Company, Coalinga
Cogeneration Company, Mid-Set
Cogeneration Company, Salinas River
Cogeneration Company, Sycamore
Cogeneration Company, and Kern River
Cogeneration Company

8 Dated: October ____, 2006

THELEN REID & PRIEST LLP

11 By

Daven G. Lowhurst
Attorneys for Claimants
Shell California Pipeline Company LLC
and Equilon Enterprises LLC

14 Dated: October ____, 2006

POORMAN-DOUGLAS CORPORATION

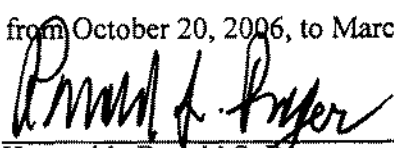
17 Gene Kennedy
El Paso Settlement – Settlement Claims
Administrator

19 **ORDER**

20 **IT IS HEREBY ORDERED:**

21 In order to allow additional time following the mediation to pursue settlement discussions,
22 the Court agree to extend the date by which the Parties are to submit a proposed briefing schedule
23 if an agreement on settlement is not reached, from October 20, 2006, to March 15, 2007.

25 **OCT 20 2006**

24 
Honorable Ronald S. Prager
Coordination Trial Judge
Superior Court of the State of California
County of San Diego

Dated: October 20, 2006

BAKER KEENER & NAHRA LLP

By 

Robert C. Baker
Attorneys for Claimants Sargent Canyon
Cogeneration Company, Coalinga
Cogeneration Company, Mid-Set
Cogeneration Company, Salinas River
Cogeneration Company, Sycamore
Cogeneration Company, and Kern River
Cogeneration Company

Dated: October __, 2006

THELEN REID & PRIEST LLP

By _____

Daven G. Lowhurst
Attorneys for Claimants
Shell California Pipeline Company LLC
and Equilon Enterprises LLC

Dated: October __, 2006

POORMAN-DOUGLAS CORPORATION

Gene Kennedy
El Paso Settlement – Settlement Claims
Administrator

ORDER

IT IS HEREBY ORDERED:

In order to allow additional time following the mediation to pursue settlement discussions, the Court agree to extend the date by which the Parties are to submit a proposed briefing schedule if an agreement on settlement is not reached, from October 20, 2006, to March 15, 2007.

Honorable Ronald S. Prager
Coordination Trial Judge
Superior Court of the State of California
County of San Diego

Dated: October ___, 2006

BAKER KEENER & NAHRA LLP


By

Robert C. Baker
Attorneys for Claimants Sargent Canyon
Cogeneration Company, Coalinga
Cogeneration Company, Mid-Set
Cogeneration Company, Salinas River
Cogeneration Company, Sycamore
Cogeneration Company, and Kern River
Cogeneration Company

Dated: October 20, 2006

THELEN REID & PRIEST LLP

By


Daven G. Lowhurst
Attorneys for Claimants
Shell California Pipeline Company LLC
and Equilon Enterprises LLC

Dated: October ___, 2006

POORMAN-DOUGLAS CORPORATION

Gene Kennedy
El Paso Settlement – Settlement Claims
Administrator

ORDER

IT IS HEREBY ORDERED:

In order to allow additional time following the mediation to pursue settlement discussions, the Court agrees^S to extend the date by which the Parties are to submit a proposed briefing schedule if an agreement on settlement is not reached, from October 20, 2006, to March 15, 2007.

Honorable Ronald S. Prager
Coordination Trial Judge
Superior Court of the State of California
County of San Diego

Dated: October ___, 2006

BAKER KEENER & NAHRA LLP

By _____

Robert C. Baker
Attorneys for Claimants Sargent Canyon
Cogeneration Company, Coalinga
Cogeneration Company, Mid-Set
Cogeneration Company, Salinas River
Cogeneration Company, Sycamore
Cogeneration Company, and Kern River
Cogeneration Company

Dated: October ___, 2006

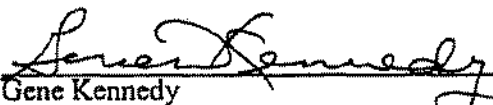
THELEN REID & PRIEST LLP

By _____

Daven G. Lowhurst
Attorneys for Claimants
Shell California Pipeline Company LLC
and Equilon Enterprises LLC

Dated: October 18, 2006

POORMAN-DOUGLAS CORPORATION



Gene Kennedy
El Paso Settlement - Settlement Claims
Administrator

ORDER

IT IS HEREBY ORDERED:

In order to allow additional time following the mediation to pursue settlement discussions, the Court agree to extend the date by which the Parties are to submit a proposed briefing schedule if an agreement on settlement is not reached, from October 20, 2006, to March 15, 2007.

Honorable Ronald S. Prager
Coordination Trial Judge
Superior Court of the State of California
County of San Diego

107-20188-12601

PROOF OF SERVICE

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is 300 South Grand Avenue, Twenty-Second Floor, Los Angeles, California 90071-3132.

On October 20, 2006, I served the within document(s):

**JOINT STIPULATION AND [PROPOSED] ORDER REGARDING
FURTHER EXTENSION OF TIME FOR DISCUSSIONS REGARDING
DISTRIBUTION OF SETTLEMENT FUNDS**

- ☐ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- ☒ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth below.
- ☐ by placing the document(s) listed above in a sealed _____ envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a _____ agent for delivery.
- ☐ by causing the document(s) listed above to be personally delivered to the person(s) at the address(es) set forth below.
- ☐ by transmitting via electronic mail the document(s) listed above to each of the person(s) as set forth below.

Robert C. Baker, Esq.
Baker, Keener & Nahra
633 West Fifth Street, Suite 5400
Los Angeles, California 90071

Daven G. Lowhurst, Esq.
Thelen Reid & Priest LLP
101 Second Street, Suite 1800
San Francisco, California 94105

Mr. Gene Kennedy
Poorman-Douglas Corporation
10300 SW Allen Blvd.
Beaverton, Oregon 97005

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on October 20, 2006, at Los Angeles, California.

I declare under penalty of perjury, under the laws of the State of California, that the above is true and correct.


Vivian F. Dohi